

**TOWN OF NORTHFIELD, VERMONT
SELECT BOARD REGULAR MEETING
Minutes of May 11, 2021**

- I. ROLL CALL.** Select Board Chair K. David Maxwell (absent), Acting Chair Julie H. Goodrich, Board members Nathaniel Miller, Charles Morse, and John Stevens. Also present were Town Manager Jeff Schulz, Acting Clerk Kenneth McCann, Laurie Baroffio (Finance Director), Bonnie Kirn Donahue (Dog River Park Committee), Simon Pearish (Dog River Park Committee), and Carolyn Stevens.

Acting Chair Goodrich called the meeting to order at 7:00 p.m. In keeping with Governor Phil Scott's COVID-19 "stay at home" directive, the meeting was held remotely.

- II. SET/ADJUST AGENDA.** There were no changes to the posted agenda.

III. PUBLIC PARTICIPATION (SCHEDULED)

- a. Bonnie Kirn Donahue and Simon Pearish, Dog River Park Committee: River Buffer & Knotweed Maintenance Agreement.** Acting Chair Goodrich noted this matter had been discussed at the previous meeting (04/27/21) but copies of the agreement itself had not been distributed to the Select Board members. Now that they have, this matter will be revisited with members of the Dog River Park Committee. Mr. Pearish said in regards to the knotweed infestation along the riverbank adjacent to Dog River Park, the Select Board members have two options: (1) the municipality could have the work done itself and incur all costs or (2) sign the proposed agreement and the knotweed removal will be done by a licensed professional at state expense. He noted the Select Board members had concerns that the agreement would be in effect for ten (10) years, during which the municipality (as "landowner") would be obligated to fulfill a number of "responsibilities." Mr. Pearish asked Michele Braun, the Executive Director for Friends of the Winooski River, the reason for the agreement's long duration. Ms. Braun said this was standard state policy and the agreement length is non-negotiable. She added twenty-two (22) entities have reached similar agreements with the State of Vermont and the only subsequent oversight were periodic checks to confirm that trees had not been removed, etc. Mr. Pearish said the Dog River Park Committee as a whole recommends Select Board approval of this agreement as knotweed control is a very difficult long-term process. He also felt the restrictions contained in the agreement really don't impose any new restrictions on the municipality as they mirror those required by FEMA when the flood-damaged structures and the land on which the park resides was obtained through the buyout process.

Acting Chair Goodrich noted the agreement in question is entitled "Riparian Buffer Memorandum of Agreement between Friends of the Winooski River and the Town of Northfield." She noted the six (6) listed landlord responsibilities are already being followed by the municipality, i.e., limiting foot traffic to a mowed footpath, allowing the buffer area to assume a "wild and natural state," etc. Acting Chair Goodrich did note the agreement itself did not refer directly to knotweed eradication and she still has concerns about the ten-year agreement length. She asked if signing this agreement is necessary before the state will come in and remove the knotweed. Mr. Pearish confirmed that adopting the agreement was a prerequisite. In addition, he added that the state will only commit to the first year of knotweed eradication. The program would be reassessed after the first year to determine if it should continue.

Acting Chair Goodrich said the municipality had the knotweed removed itself two (2) years ago after hiring a licensed professional. This action will be repeated in future with the only question being whether the municipality or state will pay for the work. She still has objections to the municipality surrendering its control of the area by approving a long-term agreement.

Board member Miller said he also would have liked to have seen knotweed control specifically mentioned in the agreement. However, he doesn't see any "red flags" even with the ten-year agreement period and doesn't have strong feelings either way. Board member Stevens also would like knotweed removal specified in the agreement. He also doesn't like the fact that the municipality would be bound by a ten-year agreement when the state is only committing to one year of knotweed eradication. Board member Morse likes the idea of protecting the Lake Champlain watershed but agrees the agreement length is problematic. Mr. Pearish said he asked Ms. Braun whether a shorter agreement period was possible. She did not think the state would negotiate on this. Board member Morse would like to approve the agreement tonight for a three (3) year period; if the state doesn't accept the shorter period, some negotiation and revision might be possible afterwards. Motion by Board member Morse, seconded by Board member Stevens, to approve the "Riparian Buffer Memorandum of Agreement between Friends of the Winooski River and the Town of Northfield" for a three-year period that would end on May 11, 2024.

Acting Chair Goodrich still would like a specific reference to knotweed in the agreement wording. Manager Schulz has his own concerns about the lack of clarity in the agreement regarding which entity would be responsible for enforcing its provisions. Would it be the State of Vermont or Friends of the Winooski River? He recommends getting more information on this before any agreement is approved. Board member Morse believes three (3) years would be a good trial period for this agreement. Board member Miller doubts the state will make an exception and agree to less than ten (10) years. Acting Chair Goodrich still has concerns about the agreement wording. After further discussion, the motion was tabled without objection.

Ms. Donahue asked if the Dog River Committee should work with Manager Schulz regarding the agreement wording. Board member Morse would like the ten-year agreement period shortened and direct reference to knotweed eradication added. Board member Miller suggested the state might agree to a three-year commitment to knotweed eradication in return for a ten-year agreement. Mr. Pearish will contact Ms. Braun regarding these suggestions. Board member Morse thought Manager Schulz should investigate the state's riparian buffer requirements to see if the agreement wording conforms to them. Ms. Donahue believes everyone here agrees that the knotweed problem must be addressed but just differ on the best way to achieve this. Acting Chair Goodrich thanked Mr. Pearish, Ms. Donahue, and the other Dog River Park Committee members for bringing this matter to the Select Board.

IV. DEPARTMENT HEAD REPORT

a. Laurie Baroffio, Finance Director

- 1. FY 2020/2021 YTD Budget Review.** Ms. Baroffio said the Select Board members were provided year-to-date budget reviews as well as financial statements for the current fiscal year through April 30, 2021. She currently projects there will be healthy balances in both the Town General and Highway budgets when the fiscal year ends on June 30, 2021. Ms. Baroffio then went through the listing of departments, highlighting those that now show significant gains or losses.

For example, the Listers budget shows \$20,800 in savings due to an employee taking unpaid leave. The Police budget shows \$165,000 in savings largely due to reduced personnel costs (salary, benefits, etc.) with two (2) full-time officers on temporary assignment in the military reserves. The Ambulance operating budget now shows a \$183,000 overage but this is offset by state payments for conducting daily COVID-19 testing and other pandemic-related reimbursements for extra labor costs, materials, etc. The budget for the Municipal Pool shows \$58,000 in savings, which results from the pool not operating last summer due to the pandemic. This also led to a \$11,900 loss in revenue as user fees were not collected. Because of relatively mild weather this past winter and spring, the Highway budget has \$42,000 in savings due to reduced employee overtime and lower spending on road materials.

On the revenue side, Ambulance Revenue is down about \$36,000 and Ms. Baroffio said that was mainly due to amounts disallowed by insurance. The Highway Department received \$5,953 more than budgeted in state aid and another \$39,502 in supplemental state aid. The latter was unexpected revenue that was provided when the Vermont Agency of Transportation (VTrans) cancelled its grant programs due to the pandemic. Instead, VTrans distributed per-capita funds to each municipality. Ms. Baroffio said the Select Board members can decide what to do with these supplemental funds at a later time.

All in all, Ms. Baroffio said the budget review was very positive and she projects a net surplus in the Town General Budget of \$287,735 and \$85,095 for the Highway Department. She hopes that these numbers will hold up over the remaining two (2) months of the current fiscal year.

Board member Morse asked how long Ms. Baroffio has been in charge of the Accounting Department and whether she has seen such positive numbers before. Ms. Baroffio said it will be thirty (30) years this coming August and agreed this year was very unusual. Board member Morse thanked Ms. Baroffio and her staff for their good work throughout the year. Manager Schulz agreed with Ms. Baroffio that this was a very unusual year with unexpected savings and revenue that were mostly (but not all) related to the COVID-19 pandemic. A year ago, he had been very concerned that the pandemic might have a devastating impact on municipal finances but instead it seems things have turned out well. Acting Chair Goodrich then thanked Ms. Baroffio for the very positive budget report delivered tonight.

V. LIQUOR CONTROL COMMISSION

a. Liquor License Renewal

- 1. The Woods at Wihakowi (1st Class).** Motion by Board member Morse, seconded by Board member Miller, to approve the liquor license renewal. **Motion passed 4-0-0.**
- 2. The Woods at Wihakowi (3rd Class).** Motion by Board member Morse, seconded by Board member Miller, to approve the liquor license renewal. **Motion passed 4-0-0.**

b. Outside Consumption Permit

- 1. The Woods at Wihakowi.** Motion by Board member Morse, seconded by Board member Miller, to approve the outside consumption permit. **Motion passed 4-0-0.**

VI. APPROVAL OF MINUTES

- a. **April 27, 2021 (Regular Meeting).** Motion by Board member Morse, seconded by Board member Miller, to approve the minutes. Acting Chair Goodrich had a couple corrections. **Motion to approve the amended minutes passed 4-0-0.**

VII. APPROVAL OF BILLS

- a. **Approval of Warrant #21-21.** Motion by Board member Morse, seconded by Board member Miller, to approve Warrant #21-21 in the amount of \$392,026.60. It was noted that of the total warrant amount, \$233,023.42 represented power purchased by the Northfield Electric Department (NED) that will be resold later to its customers. Acting Chair Goodrich noted the names of those receiving Ambulance overpayment refunds was listed on the warrant. She asked if these names should be blacked out as confidential information. Manager Schulz will check on this. **Motion passed 4-0-0.**
- b. **Approval of Biweekly Payroll through May 2, 2021.** Motion by Board member Morse, seconded by Board member Miller, to approve the biweekly payroll in the amount of \$99,449.45. **Motion passed 4-0-0.**

VIII. SELECT BOARD

- a. **Turkey Hill Maple Farm Lease Agreement.** Manager Schulz said this matter has been discussed during recent meetings as one of the two (2) lease agreements will expire next month. He felt any further discussion of this matter should be held in executive session as it involves contract negotiation. There was no objection.
- b. **FY 2021/2022 Water & Sewer Rates.** Manager Schulz said the Utility Commission members have been working on these budgets over their past few meetings. After much debate, the members adopted budgets for the Water and Sewer departments for the next fiscal year. As has been past practice, these budgets are now presented to the Select Board members for their review. The Select Board members also are asked to approve the water and sewer rates for the fiscal year starting July 1, 2021 based on these proposed budgets. Manager Schulz said the past fiscal year was a difficult one for the utility departments with reduced revenue due to less usage by our major customers. He expects similar revenue losses in the coming year and this has been reflected in the proposed rates, which have a combined increase of about 5.66% for the average homeowner. The increase for commercial and industrial customers will be in the range between 7.5% and 8.5%. Manager Schulz conceded these were significant increases but felt they were necessary due to the anticipated loss of revenue. He noted that over the past ten (10) years, any rate increases have been kept to 1% or 2% but this situation is different. Acting Chair Goodrich had asked Manager Schulz if using prior year surplus would lower the rates but the amount available would not be sufficient. Board member Morse, who serves on the Utility Commission, said last year the rates were kept level by using surplus funds but the loss of revenue since then has caused problems that must be addressed with this rate increase. Motion by Board member Morse, seconded by Board member Miller, to approve the water and sewer rates as presented by management. **Motion passed 4-0-0.**

IX. TOWN MANAGER'S REPORT

- a. **Union Brook Road Reconstruction Project.** Manager Schulz said all the road has been reclaimed and the contractor has started installing the first layer of paving. After the final coat has been put down, the contractor will finish up by restoring roadsides, driveway entrances, etc. Despite a few complaints, most of the public feedback on the project has been very positive.
- b. **South Main Street Sidewalk Project.** Manager Schulz said the project contractor returned to the site recently to complete the work. The curbing put in last year has been fixed (where needed) and new curbing was installed all the way down to the Common. The workmen have been absent for a few days but Manager Schulz expects the whole project to be completed within the next three (3) to four (4) weeks.
- c. **Slate Avenue Stormwater Project.** Manager Schulz said the Water/Sewer crew have been working on Slate Avenue the past couple weeks installing stormwater infrastructure that will initially connect to the municipal sewage system. Later in the project, new lines will be installed so that the stormwater can be diverted to the treatment facility located on Holland Place (behind the American Legion). This project will allow for the elimination of the last remaining CSO (Combined Sewer Overflow) in Northfield while reducing the amount of stormwater reaching the Northfield Wastewater Treatment Facility. After the stormwater work has been completed, some sidewalk work and street paving will be done. Manager Schulz is now soliciting quotes for this and will report back to the Select Board members on this at the next meeting. Board member Stevens asked if the in-ground stormwater collection chambers are being installed at this time. Manager Schulz said the stormwater lines are being put in first and the chambers will be done at a later time.
- d. **Speeding Complaints.** Manager Schulz said there have been some public concerns expressed about speeding on certain streets. He asked Northfield Police Chief John Helfant to look into this. Chief Helfant then had his officers perform radar checks on the streets most mentioned. After collecting the information, it is Chief Helfant's conclusion that there is no proof that excessive speed is a real problem on these roads. Chief Helfant believes the surge of complaints is largely due to the recent warmer weather. This has brought more people outside to their front lawns, etc. and made them more aware of the steady traffic going by their homes as well as the occasional speeder.
- e. **Tickler File Update.** Manager Schulz will be working on an updated list of current and future municipal projects (with status reports) that he will forward to the Select Board members later this week.

X. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. **Northfield Falls Crosswalk.** Board member Stevens asked about the status of perhaps adding a lighted crosswalk sign at this location. Manager Schulz has reached out to the Central Vermont Regional Planning Commission (CVRPC) and there now is a \$20,000 planning grant to investigate this crosswalk (and other locations) regarding needed safety improvements, etc. Since this is a State Highway, Manager Schulz has contacted VTrans several times about the possibility of the municipality installing a new lighted pedestrian sign there but they had a number of concerns that the report probably will address. This analysis should take some time but Manager Schulz will remain committed to seeing this matter resolved. Board member Morse said this crosswalk has been a safety hazard for about twenty (20) years (including when he was Town Manager) so something needs to be done soon and proper signage installed.

- b. Interim Recreation Committee.** Board member Morse noted when the Recreation Committee was dissolved at the last meeting, the plan was to replace it with an interim committee composed of municipal park users. He asked if anything has been done to form this committee. Manager Schulz said he has been on vacation over the past couple weeks but will be working on this as soon as possible.
- c. Central Street Stormwater Project.** Now that the work on Slate Avenue has started, Board member Miller asked if similar work is planned for Central Street before it is repaved this summer. Manager Schulz has spoken with Highway Foreman Trent Tucker and he recommends installing two (2) additional stormwater basins and new curbing on the street prior to paving.

XI. PUBLIC PARTICIPATION (UNSCHEDULED)

- a. Carolyn Stevens: Municipal Park Use Fees.** Ms. Stevens had inquired about reserving the pavilion at Memorial Park on behalf of a friend who was planning to hold a post-committal service gathering. She downloaded the form from the municipal website but was surprised the reservation would require a \$75 refundable cleaning deposit and a \$75 non-refundable user fee. Ms. Stevens feels this an excessive charge for a few people to get together. She asks if the high charge is designed to discourage public use of the parks. Board member Morse expects the interim committee to address the fees as one of its first actions. Manager Schulz noted the current fee structure was recommended by the Recreation Committee at the time and approved (unanimously) by the Select Board members at their meeting of September 8, 2020. There were concerns expressed about charging residents a non-refundable fee to use municipal park facilities but there also was a Select Board desire to obtain additional revenue to cover the expense of park maintenance. Manager Schulz agreed that this matter probably will be discussed by the interim committee. He also noted that there is no charge to use the pavilion at the Dog River Park. Ms. Stevens will look into this. Acting Chair Goodrich would like the Select Board members to revisit this matter in the near future.

XII. EXECUTIVE SESSION. Motion by Board member Morse, seconded by Board member Stevens, to go into executive session, in accordance with 1 VSA 313 (a)(1), in order to discuss contract negotiation with Manager Schulz present. **Motion passed 4-0-0.**

The Board went into executive session at 8:34 p.m.

Motion by Board member Morse, seconded by Board member Miller, to come out of executive session. **Motion passed 4-0-0.**

The Board came out of executive session at 9:01 p.m.

Motion by Board member Morse, seconded by Board member Miller, that the municipality not renew one of the current lease agreements with Turkey Hill Maple Farm (set to expire on June 1, 2021) due to non-compliance with lease agreement stipulations. **Motion passed 4-0-0.**

XIII. ADJOURNMENT. Motion by Board member Morse, seconded by Board member Stevens, to adjourn. **Motion passed 4-0-0.**

The Board adjourned at 9:02 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

An audio recording of this meeting is available in the Town Manager's Office.

These minutes were approved at the Select Board regular meeting of May 25, 2021.